

1 **Project 4752 - Proposed**

2 **DEPARTMENT OF HEALTH**  
3 **Amend Regulations Following Periodic Review**

4  
5 **12VAC5-450-10. Definitions.**

6 ~~For the purpose of this chapter, the~~ The following words and terms when used in this  
7 chapter shall have the following meanings respectively indicated unless another meaning is  
8 clearly intended or required by the context. clearly indicates otherwise:

9 "Approved" means a procedure of operation or construction ~~which is~~ in accordance with the  
10 standards established by the Virginia Department of Health, or ~~which is~~ acceptable to the Health  
11 Commissioner based on ~~his~~ a determination as to the conformance with appropriate standards  
12 and good public health practice.

13 "Campgrounds" means ~~and includes, but is not limited to~~ tourist camps, travel trailer camps,  
14 recreation camps, family campgrounds, camping resorts, camping communities, or any other  
15 area, place, parcel or tract of land, by whatever name called, on which three or more campsites  
16 are occupied or intended for occupancy, or facilities are established or maintained, wholly or in  
17 part, for the accommodation of camping units for periods of overnight or longer, whether the use  
18 of the campsites ~~and/or~~ or facilities is granted gratuitously, by a rental fee, by lease, by  
19 conditional sale or by covenants, restrictions and easements. This definition is not intended to  
20 include summer camps, and migrant labor camps as defined in §§ ~~35.1-16~~ 32.1-203 and ~~32.1-~~  
21 ~~203~~ 35.1-16 of the Code of Virginia, construction camps, ~~permanent mobile~~ manufactured home  
22 parks, ~~or~~ storage areas for unoccupied camping units, or property upon which the individual  
23 owner may choose to camp and not be prohibited or encumbered by covenants, restrictions and  
24 conditions from providing ~~his~~ sanitary facilities within ~~his~~ established property lines.

25 "Camping unit" means ~~and includes~~ tents, tent trailers, travel trailers, camping trailers, pick-  
26 up campers, motor homes, yurts, cabins, or any other device or vehicular-type structure as may  
27 be developed marketed and used by the camping trade for use as temporary living quarters or  
28 shelter during periods of recreation, vacation, leisure time, or travel.

29 "Campsite" means ~~and includes~~ any plot of ground within a campground used or intended  
30 for the exclusive occupation by a camping unit or units ~~under the control of a camper.~~

31 "~~Emergency~~" means ~~a condition that in the exercise of the sound discretion of the Health~~  
32 ~~Commissioner is found deleterious to the public health, safety, and welfare and requires~~  
33 ~~immediate action.~~

34 "Health Commissioner" means the chief executive officer of the State Board of Health or his  
35 authorized agent.

36 "Independent camping unit" means a unit which contains a water-flushed toilet, lavatory and  
37 shower as an integral part of the structure, and which requires an on-site sewer connection due  
38 to the absence of a waste holding tank on the unit.

39 "Non-self-contained camping unit" means a unit which is dependent upon a service building  
40 for toilet and lavatory facilities.

41 "Outdoor bathing facilities" means lakes, ponds, rivers, tidal waters, impoundments,  
42 beaches, streams or other places, whether natural or man-made, in which an area is held out  
43 for swimming or bathing purposes.

44 "Operator" means any person employed or contracted by a campground owner who is  
45 responsible for the management and general administrative operation of the campground.

46 "Overflow area" means a plot of ground in or adjacent to the campground set apart for  
47 accommodating those campers for whom no designated sites are available in the general

48 geographical area, and which is subject to certain restrictions as to size, length of stay,  
49 temporary facilities, etc.

50 "Overnight" means the occupation of a camping unit as a temporary habitation between the  
51 hours of 7 p.m. and 7 a.m., or major portion thereof.

52 "Permit" means a written permit issued by the Health Commissioner authorizing a  
53 designated person to operate a specific camping place.

54 "Person" means ~~and include~~ any individual or group of individuals, named party, partnership,  
55 firm, private or public association or corporation, state, county, city, town, or anyone who by  
56 covenant, restriction, or agreement has care, control, custody, ownership, or management of  
57 property or parts thereof, or any combination of the above or other legal entity.

58 "Primitive ~~camps~~ campsites" means ~~camps which~~ campsites that are characterized by the  
59 absence of what is generally understood as modern conveniences such as ~~water-flushed flush~~  
60 toilets, showers, sinks, and electrical connections. ~~A campground shall be classified as a~~  
61 ~~primitive camp when half or more of the required number of toilet seats are nonflush type.~~

62 "Self-contained camping unit" means a unit which contains a ~~water-flushed flush~~ toilet,  
63 lavatory, shower, and kitchen sink, all of which are connected, as an integral part of the  
64 structure, to water storage and sewage holding tanks located within the unit.

65 "Service building" means a structure housing ~~toilet~~ toilets, showers, or lavatories.

66 "Sewage" means ~~the~~ water-carried and non-water-carried human excrement ~~from service~~  
67 ~~buildings, sanitary stations, camping units or other places together with such,~~ kitchen, laundry  
68 ~~or, shower, bath, or lavatory wastes~~ separately or together with such underground surface,  
69 storm, or other water and liquid industrial waste as may be present ~~from residences, buildings,~~  
70 vehicles, industrial establishments, or other places. Other places include service buildings,  
71 dump stations, campsites, and camping units.

72 "Swimming pool" means any swimming, wading, or spray pool, including all appurtenant  
73 equipment, structures, and facilities provided for the use of the campers.

#### 74 **12VAC5-450-15. Compliance with the Virginia Administrative Process Act.**

75 The provisions of the Virginia Administrative Process Act (§ 2.2-4000 et seq. of the Code of  
76 Virginia) shall govern the promulgation and administration of this chapter, including the  
77 procedures for rendering and appealing any case decision based upon this chapter.

#### 78 **12VAC5-450-30. Approval of plans required.**

79 A. In order to ~~insure~~ ensure the provision of adequate, properly designed sanitation facilities  
80 at campgrounds, any person planning construction, ~~major alteration~~ renovation, or ~~extensive~~  
81 addition to any campground shall, prior to the initiation of any such construction, submit to ~~the~~  
82 ~~Health Commissioner, through the local health department in the county~~ locality in which the  
83 proposed project is located, complete plans or statements ~~which~~ that show the following, as  
84 applicable:

- 85 1. The proposed method and location of the sewage disposal system.
- 86 2. The proposed sources and location of the water supply.
- 87 3. The number, location, and dimensions of all campsites.
- 88 4. The number, description, and location of proposed sanitary facilities such as toilets,  
89 privies, dump stations, sewer lines, etc.
- 90 5. ~~Name~~ The name and address of applicant.
- 91 6. ~~Location~~ The location, boundaries, and dimensions of the proposed project.
- 92 7. Such other pertinent information as the Health Commissioner may deem necessary.

93 B. When, upon review of the plans, the Health Commissioner is satisfied that the proposed  
94 plans, if executed, will meet the requirements of this ~~regulation~~ chapter and other pertinent laws  
95 and regulations designed to protect the public health, written approval shall be issued.

96 C. When upon review of the plans, the Health Commissioner determines that the proposed  
97 plans ~~preclude~~ prevent a safe, sanitary operation, the plans shall be disapproved and the  
98 applicant shall be notified in writing of any deficiency in the plans that constitute the basis for  
99 disapproval.

100 D. No person shall begin construction, ~~major alteration~~ renovation, or addition to a  
101 campground until written approval has been granted by the Health Commissioner.

102 E. If construction is not begun within one year from the date of the approval of the plans,  
103 such approval shall be ~~considered~~ null and void.

104 F. All construction, ~~reconstruction~~ renovation, or alteration shall be done in accordance with  
105 and limited to work covered by the plans and recorded changes ~~which~~ that have been approved  
106 by the Health Commissioner.

107 G. Any person whose plans have been disapproved may request and shall be granted a  
108 ~~hearing on the matter under the procedure provided by 12VAC5-450-60~~ an appeal as described  
109 by the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

110 H. Owners or operators of temporary campgrounds shall submit complete plans as  
111 described in subsection A of this section as a part of the permit application. No written approval  
112 of this material is required separate from the campground permit.

#### 113 **12VAC5-450-40. Permits.**

114 A. No person ~~or persons~~, directly or indirectly, shall conduct, control, manage, operate, or  
115 maintain a campground, or offer campsites for occupancy within the Commonwealth, without  
116 first making application for and receiving a valid permit from the Health Commissioner for the  
117 operation of ~~said camp~~ the campground.

118 B. ~~Any campground for which a permit was not issued during the previous year~~ An  
119 authorized representative of a campground shall file an application for a permit with the local  
120 health department ~~in writing on a form and~~ in a manner prescribed by the Health Commissioner  
121 at least 30 days before such camp is to be opened.

122 C. If, after receipt of an application to operate a campground, the Health Commissioner finds  
123 ~~that the campground is~~ does not in compliance comply with the provisions of this ~~regulation~~  
124 ~~chapter,~~ he the Health Commissioner shall notify the applicant in writing (i) citing the  
125 noncomplying items that constitute ~~his reason~~ the reasons for denying ~~the~~ a permit and (ii)  
126 providing the applicant with the opportunity for administrative process as provided by the  
127 Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

128 D. ~~A permit may be revoked by the Health Commissioner, or his authorized agent, if he finds~~  
129 ~~that the camp for which the permit was issued is operated, maintained, or occupied in violation~~  
130 ~~of this chapter, or any law, ordinance or regulation applicable to such establishments, or in~~  
131 ~~violation of the conditions stated in the permit.~~ If the Health Commissioner finds that the  
132 campground complies with this chapter, a permit shall be issued. Permits may be issued to the  
133 campground's owner or operator.

134 E. The permit shall be conspicuously posted in the office of the ~~camp~~ campground or on the  
135 premises if no office is available.

136 F. ~~The permit shall not be transferable~~ Permits shall either be (i) annual and shall expire on  
137 ~~December 31 of each year, unless stated otherwise in special permits such as temporary~~  
138 ~~permits that may be granted by the Health Commissioner to allow a reasonable time to conform~~  
139 ~~to the requirements of this chapter, or to correct existing violations~~ 12 months from the date of  
140 issuance or (ii) temporary and granted for a specific period of time to allow temporary camping

141 of 14 days duration or less. Temporary permits may be valid for periods of 60 days or less, but  
142 the total days of operation may not exceed 14 days during a 60-day period. Permits shall not be  
143 transferable.

144 **12VAC5-450-50. Inspection of camping places.**

145 A. The Health Commissioner ~~is hereby authorized and directed to make~~ shall conduct such  
146 inspections as ~~are~~ necessary to determine satisfactory compliance with this chapter, including  
147 the following:

148 1. Before permit issuance, the Health Commissioner shall conduct one or more  
149 preoperational inspections of annually permitted campgrounds that (i) have not been  
150 permitted in the previous year; (ii) have undergone modifications in their water delivery,  
151 sewage conveyance, or sewage disposal systems; (iii) have modified their sanitary  
152 facilities; or (iv) have changed the number of offered campsites since the issuance of  
153 their last annual permit.

154 2. Annually permitted campgrounds shall be inspected at least once per permit period.

155 3. Temporary campgrounds shall be inspected at least once during each operational  
156 period.

157 4. Campground inspection schedules may be adjusted if the Virginia Department of  
158 Health develops a written risk-based plan for adjusting the frequency of inspections, and  
159 this plan is uniformly applied throughout the Commonwealth.

160 B. ~~# Upon presentation of appropriate credentials and consent of the owner, permit holder,~~  
161 ~~or authorized agent of the owner or permit holder, the Health Commissioner shall be the duty of~~  
162 ~~the operator or occupant(s) of a campground to give the Health Commissioner~~ given free  
163 access to such premises at reasonable times for the purpose of inspection, in accordance with §  
164 35.1-5 of the Code of Virginia.

165 C. ~~A register shall be kept indicating name and address of the camper, the date of the~~  
166 ~~campsite occupancy, and the number of the campsite occupied. Such register shall be made~~  
167 ~~available to the Health Commissioner, upon request, during his inspection of the campground.~~

168 C. Whenever an inspection is conducted, a completed inspection report shall be provided to  
169 the permit holder of the campground. The inspection report shall contain descriptions of  
170 observed alleged violations and citations to the alleged regulatory violations. The report shall  
171 establish reasonable timelines for compliance with this chapter and provide an opportunity for  
172 due process in accordance with the Administrative Process Act (§ 2.2-4000 et seq. of the Code  
173 of Virginia).

174 **12VAC5-450-60. Enforcement, notices, hearings informal conferences.**

175 A. Whenever the Health Commissioner finds violations of this chapter, an inspection report  
176 shall be filled out and left with the person in charge of the campground. Such inspection report  
177 shall be legible, contain written notation of the violation and remedial action to be taken to effect  
178 compliance with this chapter.

179 B. ~~If, after a reasonable time has elapsed for the correction of noted items, the violation is~~  
180 ~~found to continue to exist, a formal notice shall be issued which; (i) includes a written statement~~  
181 ~~of the reasons for its issuance; (ii) sets forth a time for the performance of the corrections; (iii) is~~  
182 ~~served upon the operator or his agent; Provided: that such notice shall be deemed to have been~~  
183 ~~properly served upon such operator or agent when a copy has been sent by certified mail to his~~  
184 ~~last known address; or when he has been served with such notice by any other method~~  
185 ~~authorized or required by the laws of this Commonwealth; (iv) contains an outline of remedial~~  
186 ~~action which, if taken will effect compliance with the provisions of this chapter; (v) informs the~~  
187 ~~person to whom the notice is directed of his right to a hearing and of his responsibility to request~~  
188 ~~the hearing and to whom the request should be made.~~

189 C. ~~Periods of time allowed to elapse between notation of the violation on the inspection~~  
190 ~~report and issuance of a formal notice, and time allowed in formal notice for performance of~~  
191 ~~correction shall depend upon the nature and seriousness of the violation, but shall generally not~~  
192 ~~exceed 30 days.~~

193 D. ~~Whenever the Health Commissioner finds that an emergency exists which requires~~  
194 ~~immediate action to protect the public health, he may, without notice or hearing, issue an order~~  
195 ~~reciting the existence of such an emergency and requiring that such action be taken as he may~~  
196 ~~deem necessary to meet the emergency including the suspension of the permit.~~  
197 ~~Notwithstanding any other provisions of this chapter, such order shall be effective immediately.~~  
198 ~~Any person to whom such an order is directed shall comply therewith immediately, by upon~~  
199 ~~petition to the Health Commissioner, shall be afforded a hearing as soon as possible.~~

200 A. The Health Commissioner may, after providing a notice of intent to revoke the permit, and  
201 after providing an opportunity for an informal conference in accordance with § 2.2-4019 of the  
202 Code of Virginia, revoke a permit for flagrant or continuing violation of this chapter. Any person  
203 to whom a notice of revocation is directed shall immediately comply with the notice. Upon  
204 revocation, the former permit holder shall be given an opportunity for appeal of the revocation in  
205 accordance with the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

206 B. The Health Commissioner may summarily suspend a permit to operate a campground if  
207 continued operation constitutes a substantial and imminent threat to public health. Upon receipt  
208 of such notice that a permit is suspended, the permit holder shall cease campground operations  
209 immediately and begin corrective action. Whenever a permit is suspended, the holder of the  
210 permit shall be notified in writing by certified mail or by hand delivery. Upon service of notice  
211 that the permit is immediately suspended, the former permit holder shall be given an opportunity  
212 for an informal conference in accordance with § 2.2-4019 of the Code of Virginia. The request  
213 for an informal conference shall be in writing and shall be filed with the local health department  
214 by the former holder of the permit. If written request for an informal conference is not filed within  
215 10 working days after the service of notice, the suspension is sustained. Each holder of a  
216 suspended permit shall be afforded an opportunity for an informal conference within three  
217 working days of receipt of a request for the informal conference. The Health Commissioner may  
218 end the suspension at any time if the reasons for the suspension no longer exist.

219 E. ~~C.~~ Any person affected by any notice which has been a determination issued in  
220 connection with the enforcement of any provision of this chapter may request and shall be  
221 granted a hearing challenge such determination in accordance with the provisions of Title 9,  
222 Chapter 1.4:1 of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

223 F. ~~If a request for a hearing is not made within 10 days after the receipt of a formal notice of~~  
224 ~~violation of this chapter, or correction of the violation has not taken place within the prescribed~~  
225 ~~time, the permit may be revoked and the continued operation of the campground shall be~~  
226 ~~considered unlawful.~~

227 ~~Nothing~~ D. All campgrounds shall be constructed, operated, and maintained in  
228 compliance with the requirements as set forth in this chapter. The Health Commissioner may  
229 enforce this chapter through any means lawfully available pursuant to § 35.1-7 of the Code of  
230 Virginia, and nothing in this chapter shall be construed as preventing the Health Commissioner  
231 from making efforts to obtain voluntary compliance through warning, conference, or any other  
232 appropriate enforcement means.

233 **12VAC5-450-70. Location.**

234 A. ~~Each campground shall be located on ground which has~~ have ~~good surface drainage and~~  
235 ~~which is~~ be ~~free of natural and man-made hazards such as mine pits, shafts, and quarries.~~  
236 Camps Campgrounds ~~shall not be located on ground which~~ that ~~is in or adjacent to swamps,~~

marshes, landfills or abandoned landfills, or breeding places for insects or rodents of public health importance, unless adequate, approved safeguards or preventive measures are taken.

B. The density of campsites in a campground shall not exceed an average of 20 campsites per acre inclusive of service roads, toilet buildings, recreational areas, etc.

C. Each campsite (including parking space) shall provide a minimum of 1600 square feet of space and shall not be less than 25 feet at its narrowest point.

D. Each campsite shall be identified by number and section. Camping units within a campground shall be required to locate within the designated campsites.

#### 12VAC5-450-80. Water supplies.

~~A. The water supply, storage reservoirs and distribution system shall be approved by the Health Commissioner. An adequate supply of safe, sanitary, potable water shall be provided. The water supply shall either be an approved private well or a permitted waterworks. Waterworks must be maintained and operated in compliance with 12VAC5-590. Private wells shall be constructed, maintained, and operated in compliance with 12VAC5-630. Additionally, campgrounds utilizing private wells for potable water shall sample and test for total coliform and nitrate annually and prior to permit application; water shall be satisfactory for the total coliform standards identified in 12VAC5-630-370 and shall not have more than 10 mg/L nitrate. Samples shall be analyzed by a laboratory certified by the Department of General Services, Division of Consolidated Laboratory Services.~~

~~B. An adequate supply of safe, sanitary, potable water capable of supplying a total capacity of at least 50 gallons per campsite per day if privies are used, and at least 100 gallons per campsite per day if water-flushed toilets are used, Water shall be provided at one or more easily accessible locations within the camping area campground. Adequate water storage facilities shall be provided to meet the demands for The water system shall be capable of meeting the demand for water during periods of peak use by the campers campground.~~

~~C. Water delivery systems utilizing private wells as a water source must meet the following construction and operational standards:~~

~~1. All water storage reservoirs shall be covered, watertight, and constructed of impervious material.~~

~~2. Overflows and vents of such reservoirs shall be effectively screened.~~

~~3. Manholes shall be constructed with overlapping overlapping covers so as to prevent the entrance of contaminating material.~~

~~4. Reservoir overflow pipes shall discharge through an acceptable air gap.~~

~~5. All cross connections between approved and unapproved water supply systems are prohibited.~~

~~6. All water supplies shall be protected against the hazards of backflow or back siphonage.~~

~~D. All cross connections, between approved and nonapproved water supply systems are prohibited, and the supply shall be protected against the hazards of backflow or back siphonage.~~

~~E. Drinking fountains and water coolers, if provided, shall be of an approved type. D. Common water coolers, drinking cups, glasses, or vessels are prohibited.~~

~~F. Unsafe E. Unapproved wells or springs in the camp area campground shall be eliminated or made inaccessible for human consumption.~~

~~G. E. All ice provided shall be from an approved source. All ice and shall be handled and stored in such a manner as to prevent contamination. Ice-making machines shall be of~~

283 ~~approved construction~~ automatic dispensing, and water shall be from a source approved under  
284 subsection A of this section. Open-bin type ice machines are prohibited.

285 ~~H. G.~~ Portable water tanks or watering stations shall not be approved, ~~except in~~  
286 ~~emergencies, and then~~ unless such tanks, stations, and dispensing ~~shall be~~ are reviewed and  
287 approved by the Health Commissioner.

288 ~~I. H.~~ The area surrounding a pump or hydrant used for a water supply shall be maintained in  
289 a properly drained and sanitary condition, to prevent the accumulation of standing water or the  
290 creation of muddy conditions.

291 ~~J. I.~~ The connection for potable water piped to individual campsites shall be ~~so~~ installed so  
292 that it will not be damaged by the parking of camping vehicles.

293 ~~K. J.~~ If installed above the ground, the riser shall terminate at least four inches above the  
294 ground surface. If installed in a pit, the riser shall terminate at least 12 inches above the floor of  
295 the pit, and the pit shall be drained to prevent it from containing standing water. The drain for  
296 the pit shall not be connected to a sanitary sewerage system.

297 ~~L. K.~~ If a water connection and a sewer connection are provided at ~~individual campsites a~~  
298 campsite, the two connections shall be separated by a minimum horizontal distance of ~~five~~ 10  
299 feet. Campgrounds that have been issued a permit before (insert the effective date of this  
300 regulation) shall be exempt and required to maintain a minimum horizontal distance of five feet  
301 between water and sewer connections. If an exempt campground conducts construction or  
302 renovation activity impacting water and sewer connections, current regulations shall apply to all  
303 campsites where work is conducted. Normal maintenance work will not constitute construction  
304 or renovation.

305 ~~M. L.~~ Adequate provisions shall be made to prevent the freezing of service lines, valves, and  
306 riser pipes.

### 307 **12VAC5-450-90. Sewage disposal.**

308 A. Every campground shall be provided with an approved method of collection, conveying,  
309 and disposing of all sewage and liquid wastes.

310 ~~B. Privies shall be an acceptable method of sewage disposal when the location, design,~~  
311 ~~construction, and quantity have been approved by the Health Commissioner provided their use~~  
312 ~~is not prohibited or restricted by local requirements.~~

313 ~~C. B.~~ All methods or systems of collecting and disposing of sewage and liquid wastes,  
314 whether temporary or permanent, shall be subject to the approval of the Health Commissioner.

315 ~~D. C.~~ It shall be unlawful to discharge sewage, sink waste water, shower waste water, or  
316 other putrescible wastes in such a manner as to enter the ground surface ~~or~~, subsurface, or a  
317 body of water, ~~except following a treatment device or process approved prior to construction by~~  
318 ~~the Health Commissioner.~~

319 ~~E. A sanitary or~~ D. Campgrounds shall provide a dump station for the disposal of sewage  
320 and other liquid wastes from self-contained camping units ~~shall be provided which that~~ complies  
321 with the following requirements:

322 1. Campgrounds having ~~less~~ fewer than 200 campsites shall provide a minimum of one  
323 sanitary dump station, unless all campsites that allow self-contained camping units  
324 provide direct sewer connections.

325 2. Campgrounds having more than 200 campsites shall provide an additional ~~sanitary~~  
326 dump station for each additional 200 campsites or major fraction thereof, provided that  
327 campsites equipped with sewer connections shall not be included in the total.

328 3. Where two or more ~~sanitary~~ dump stations are required, they shall be ~~so~~ located as to  
329 facilitate the simultaneous discharge of sewage wastes from different units.

330 4. Each sanitary station shall be ~~so~~ located and designed ~~as~~ to be easily accessible and  
331 facilitate ingress and egress for camping vehicles.

332 F. ~~E.~~ The sanitary dump station shall consist of the following:

333 1. A four-inch sewer pipe trapped below the frost line connected to an approved sewage  
334 disposal system or suitable holding tank.

335 2. The sewer pipe, at the inlet, shall be surrounded by a reinforced, concrete apron  
336 sloped to drain to the sewer pipe.

337 3. The minimum dimensions of the concrete apron shall be 36 inches wide, 60 inches  
338 long, and four inches thick. The sewer pipe shall be located such that the major portion  
339 of the apron will project under the camping unit when it is discharging.

340 4. The inlet of the sewer pipe shall be provided with a suitable fly-tight cover.

341 5. The sanitary station shall be provided with a water outlet to permit wash down of the  
342 immediate area after each use and so arranged as to prevent a cross-connection or  
343 back siphonage.

344 6. Each water outlet used for such purposes shall display a sign stating, in effect,  
345 "Notice: Unsafe Water Outlet-This water is for wash-down purposes only."

346 F. A slop sink or suitable drain shall be provided within 500 feet of all campsites for the  
347 disposal of liquid cooking and wash water wastes, unless a dump station is accessible for this  
348 purpose. Adequate provision shall be made by the permit holder of a campground to assure that  
349 the slop sink or other suitable drain is kept in a sanitary condition and is used for the purpose for  
350 which it was intended.

351 G. Individual sewer connections for camping vehicles, if provided, shall be installed in  
352 accordance with the following provisions:

353 1. The individual sewer (equivalent to the building sewer for a permanent building), shall  
354 be at least four inches in diameter, shall be trapped below the frost line, and shall be laid  
355 at depths sufficient to provide adequate protection against physical injury.

356 2. The sewer inlet shall (i) consist of a four-inch riser extending, at a minimum, four  
357 inches above the surface of the surrounding ground to accommodate a hose connection  
358 from the camping vehicle; or ~~so~~ (ii) be designed ~~as~~ to divert surface drainage away from  
359 the riser. The riser shall be imbedded firmly in the ground and be protected against  
360 heaving and shifting.

361 3. The sewer riser shall be equipped with a standard ferrule and close nipple provided  
362 with a tight cap or expanding sewer plug. The screw cap or sewer plug shall be fastened  
363 by a durable chain to prevent removal while the sewer riser is in use. When the sewer  
364 riser is not in use, it shall be capped or plugged.

365 4. The sewer hose between the camping vehicle drain and the sewer riser shall be  
366 watertight, and shall be of flexible, noncollapsible, corrosion and weather-resistant  
367 material of suitable diameter to fit the camping vehicle drain. Its lower end shall be  
368 secured into the open sewer riser with a gasket of rubber or other suitable material. All  
369 joints shall be effected ~~so~~ as to prevent the leakage of sewage, or odor or prevent the  
370 entrance of rodents.

371 **12VAC5-450-100. ~~Service buildings~~ Sanitary facilities.**

372 A. Each campground shall ~~be provided with one or more service buildings which contain~~  
373 provide an adequate number of ~~toilet and~~ sanitary facilities. The minimum ratio of sanitary  
374 facilities to the number of campsites shall ~~be provided according to~~ is established in the  
375 following schedule. Facilities shall either be gender-balanced in number or single-occupant  
376 access with no gender designation.

No. Sites	Toilets		Urinals	Lavatories		Showers*		Other Fixtures
	M	W	M	M	W	M	W	
1-15	1	1	0	1	1	1	1	1 slop drain
16-30	2	2	0	2	2	1	1	
31-45	2	3	1	3	3	1	1	See Subsection F of this section
46-60	3	4	1	3	3	2	2	
61-75	4	5	1	4	4	2	2	
76-90	4	6	2	4	4	2	2	
91-105	5	7	2	4	4	3	3	
106-120	6	8	2	5	5	3	3	
121-135	6	9	3	5	5	3	3	
136-150	7	10	3	5	5	4	4	

\*The providing of showers in the service building(s) is optional on the part of the campground owner, but when are provided the schedule will apply.

377

<u>Campsites</u>	<u>Toilets</u>	<u>Lavatories</u>	<u>Showers*</u>
<u>1 - 15</u>	<u>2</u>	<u>2</u>	<u>2</u>
<u>16 - 30</u>	<u>4</u>	<u>4</u>	<u>2</u>
<u>31 - 45</u>	<u>6</u>	<u>6</u>	<u>2</u>
<u>46 - 60</u>	<u>8</u>	<u>6</u>	<u>4</u>
<u>61 - 75</u>	<u>10</u>	<u>8</u>	<u>4</u>
<u>76 - 90</u>	<u>12</u>	<u>8</u>	<u>4</u>
<u>91 - 105</u>	<u>14</u>	<u>8</u>	<u>6</u>
<u>106 - 120</u>	<u>16</u>	<u>10</u>	<u>6</u>
<u>121 - 135</u>	<u>18</u>	<u>10</u>	<u>8</u>
<u>136 - 150</u>	<u>20</u>	<u>10</u>	<u>8</u>

\*The providing of showers is optional on the part of the campground owner, but when showers are provided the schedule will apply.

378

379

B. For campgrounds having more than 150 campsites located, in the opinion of the Health Commissioner, contiguously to the service building or buildings sanitary facilities

380 required by the schedule in subsection A of this section, there shall be provided ~~one~~ two toilet  
381 ~~seat seats~~ and ~~one~~ lavatory for each sex two lavatories for each additional 30 campsites, and  
382 ~~one~~ two additional shower showers for each additional 40 campsites and ~~one~~ additional men's  
383 ~~urinal~~ for each 100 campsites. When Regardless of the number of campsites, when a section or  
384 sections of a campground are found to be ~~incontiguous~~ noncontiguous, the Health  
385 Commissioner ~~may~~ shall apply the schedule in subsection A ~~above~~ in determining the adequacy  
386 ~~of the fixtures of this section~~ for such section of the campground. ~~Whenever the number of~~  
387 ~~campsites fall in between the numbers listed above, the larger number of required fixtures shall~~  
388 ~~apply when a major fraction of the difference in the two numbers is attained.~~

389 ~~C. Primitive camps shall be exempted from the provisions for lavatories and showers. If,~~  
390 ~~however, any showers are provided at a campground designated as a primitive camp, the~~  
391 ~~schedule in subsections A and B shall apply.~~

392 C. Campsites used solely for self-contained camping units or cabins with approved sewage  
393 disposal shall not count towards the number of campsites used to determine the minimum  
394 number of fixtures required in subsections A and B of this section. If all campsites in a  
395 campground are used solely for self-contained camping units or cabins, then the campground  
396 shall provide the required number of facilities for a campground of 15 campsites or fewer.

397 D. When a campground is operated in connection with a resort or other business operation,  
398 the campground facilities provided shall be in excess of those required by the schedules in  
399 subsection A and B of this section by the number of facilities required by the Virginia Statewide  
400 Building Code (13VAC5-63) or other applicable regulation.

401 E. Sanitary facilities required by subsections A and B of this section may be in service  
402 buildings or may be in other sanitary facilities located outside of service buildings. Privies of a  
403 type approved by 12VAC5-610-980 may be substituted for flush toilets and shall be provided  
404 according to the schedule in subsection A of this section. Where present, privies shall be  
405 maintained in good repair, pumped as needed, and kept clean and sanitary at all times. When  
406 portable privies are used to meet the requirements of the schedule in subsection A of this  
407 section, they shall not serve nonprimitive campsites or more than 30 campsites in a  
408 campground.

409 D. F. Urinals may be substituted for up to one half of the required male toilets. Where  
410 existing urinal troughs are used, two feet of urinal trough shall constitute one urinal.

411 E. Exemptions. Any person desiring to furnish temporary facilities for accommodating a  
412 travel trailer rally, or other group of camping units assembled for the purpose of traveling  
413 together, shall make application for such activity to the Health Commissioner through the local  
414 health department having jurisdiction, 15 days in advance of the intended date of use. The  
415 requirements for a service building may be waived by the Health Commissioner on the  
416 determination that public health will not be endangered; but the location of the site, the facilities  
417 which must be provided, and the method of conducting such rally shall be acceptable to the  
418 Health Commissioner before a special permit shall be issued specifying the location of the site,  
419 the period of operation not to exceed seven days, and any conditions of issuance.

420 F. A slop sink or suitable drain shall be provided within 500 feet of all campsites for the  
421 disposal of liquid wastes unless a sanitary station is accessible for this purpose. Adequate  
422 provision shall be made by the operator of a campground to assure that the slop sink or other  
423 suitable drain, if necessary, is kept in a sanitary condition and is used for the purpose for which  
424 it was intended such as the disposal of dish water and wash water.

425 G. Lavatories shall be provided adjacent to the toilet fixtures.

426 H. When a campground is operated in connection with a resort or other business  
427 establishment, the total number of sanitary facilities shall be in excess of those required by the

428 ~~above-mentioned schedules and shall be based on the total number of persons using such~~  
429 ~~facilities.~~

430 ~~I. Service buildings shall be located no farther than 500 feet from any campsite served by~~  
431 ~~such building, nor closer than 30 feet to any campsite. When two or more service buildings~~  
432 ~~exist, the ratio of fixtures as specified in subsections A and B shall be in approximate relation to~~  
433 ~~the number of campsites located within a 500-foot radius of each building.~~

434 ~~J. G. All service buildings sanitary facilities and the ~~commodes~~ toilets, urinals, lavatories,~~  
435 ~~shower showers, and other appurtenances located therein shall be maintained in a state of~~  
436 ~~good repair and shall be kept in a clean and sanitary condition at all times. Toilet and shower~~  
437 ~~rooms shall not be used for miscellaneous storage during operation of the campground.~~

438 ~~K. All doors to the exterior from service buildings shall be self-closing.~~

439 ~~L. Toilet rooms, shower rooms and other areas receiving heavy camper use shall not be~~  
440 ~~used for miscellaneous storage during operation of the camp.~~

441 ~~M. H. Toilet tissue shall be provided at each privy ~~or~~ and toilet seat, and a covered~~  
442 ~~receptacle for sanitary product disposal shall be provided at each privy and female toilet. Where~~  
443 ~~provided, lavatories shall be in the immediate vicinity of toilet fixtures, and soap and a method of~~  
444 ~~hand drying shall be provided.~~

445 ~~N. I. Shower compartments, whether individual type with partitions or group type without~~  
446 ~~partitions, shall have not less than 1,024 square inches in floor area and, ~~if rectangular, square~~~~  
447 ~~or triangular in plan, shall be not less than at least 30 inches in shortest dimension.~~

448 ~~O. In a campground where there is a combination of campsites, part of which are provided~~  
449 ~~with a water connection and a sewer outlet, the minimum number of fixtures as required in~~  
450 ~~subsections A and B above may be adjusted by the Health Commissioner based on individual~~  
451 ~~conditions provided any request for an adjustment complies with 12VAC5-450-190.~~

452 ~~J. Sanitary facilities shall be located no farther than 500 feet from any campsite served by~~  
453 ~~such building nor closer than 30 feet from any campsite. However, privies shall be no closer~~  
454 ~~than 50 feet from any campsite. When two or more service buildings or areas with other sanitary~~  
455 ~~facilities exist, the ratio of fixtures as specified in subsections A and B of this section shall be in~~  
456 ~~approximate relation to the number of campsites located within a 500-foot radius of each~~  
457 ~~building.~~

#### 458 **12VAC5-450-110. Structural requirements for service buildings.**

459 A. All portions of the structure shall be properly protected from damage by ordinary use and  
460 by decay and corrosion. Exterior portions shall be of such material and be so constructed and  
461 protected as to prevent entrance or penetration of moisture and weather.

462 B. Effective ventilation of all service buildings shall be provided to prevent condensation,  
463 moisture, and odors.

464 C. Interior of service buildings shall be finished in a light color and provided with adequate  
465 natural or artificial illumination, or both.

466 D. The floors of toilet and shower rooms shall be sloped to a properly trapped floor drain  
467 connected to the sewerage system.

468 E. Partitions between flush toilets in the same room shall be raised a minimum of eight  
469 inches from the floor to permit easy cleaning.

470 F. The interior finish of such buildings shall be of moisture resistant and easily cleanable  
471 material ~~which~~ that will withstand frequent washing and cleaning. Special attention shall be  
472 given wall finishes immediately around lavatories, urinals, ~~commodes~~ and toilets and in showers  
473 to ~~insure~~ ensure a surface in these heavily used areas ~~which~~ that will withstand commercial use.

474 G. The floors shall be constructed of material impervious to water and be of easily cleanable  
475 material. Duck boards or ~~walk ways~~ walkways made of wood or other absorptive material shall  
476 not be permitted.

477 H. All windows and openings to the outside from areas containing ~~commodes~~ toilets and  
478 urinals shall be provided with fly-proof screening material of at least 16 mesh per inch.

479 I. Water closets and bathing facilities shall not be located in the same compartment.

480 J. Permanent service buildings shall be provided with an artificial light at the entrance to the  
481 building to facilitate its use at night: ~~Provided, that primitive.~~ Primitive camps with privies may be  
482 exempted are exempt from this requirement.

483 K. Service buildings shall have appropriate signs to ~~denote its use~~ such as "Men's Toilet,"  
484 "Women's Toilet," "Showers," etc.

485 L. Showers shall be equipped with a drain or drains ~~which will~~ that prevent the shower water  
486 from running across floors that are used for other purposes.

487 M. All fixtures shall be of durable material ~~which will be~~ that is capable of withstanding the  
488 heavy usage ~~which~~ that public facilities receive.

489 N. All doors to the exterior from service buildings shall be self-closing.

490 **12VAC5-450-115. Cabins and other rental units.**

491 A. All cabins, yurts, and other camping units offered for rent to campers, including self-  
492 contained camping units and other mobile units, and the equipment, fixtures, and furnishings  
493 contained therein shall be kept clean, in good repair, free of vermin, and maintained so as to  
494 protect the health, safety, and well-being of persons using those facilities.

495 B. When provided, dishes, glassware, silverware, and other cooking implements must be  
496 kept in a clean and sanitary condition. If such items are not washed between occupants, the  
497 permit holder must post a sign alerting cabin occupants that kitchen items are not washed under  
498 management supervision.

499 C. When provided, box springs, mattresses, and other furnishings shall be clean and in  
500 good repair. Conventional mattress covers or pads shall be used for the protection of  
501 mattresses and shall be kept clean and in good repair. When provided, all sheets, pillowcases,  
502 towels, washcloths, and bathmats shall be kept clean and in good repair, freshly laundered  
503 between occupants, and changed at least once every seven days if used by the same occupant.  
504 When a blanket is placed on the bed, the upper sheet shall be of sufficient length to fold and  
505 overlap the top section of the blanket. All blankets, quilts, bedspreads, and comforters shall be  
506 maintained in a sanitary and good condition, and all clean bedding and linen shall be stored in a  
507 clean and dry place.

508 D. When provided, smoke detectors and fire extinguishers shall be functional and serviced  
509 as appropriate.

510 E. Bed arrangements of lodging units shall provide suitable clear space between each bed,  
511 cot, or bunk to allow for ingress to and egress from the lodging unit. There shall be sufficient  
512 space between the floor and the underside of the beds to facilitate easy cleaning. In lieu of such  
513 space, the bed shall have a continuous base or shall be on rollers.

514 F. Measures shall be taken to prevent the infestation of cabins and other rental units by  
515 rodents, bedbugs, and vector insects.

516 **12VAC5-450-130. Insect, rodent, and weed control.**

517 A. Camping places shall be kept free from cans, jars, buckets, old tires, and other articles  
518 ~~which~~ that may hold water and provide temporary breeding places for mosquitoes. Mosquito  
519 control measures and supplemental larvicidal measures shall be undertaken by the owner when  
520 the need is indicated.

521 B. Fly and rodent breeding shall be controlled by eliminating ~~the insanitary practices which~~  
522 ~~provide~~ breeding places. The area surrounding the garbage cans shall not be permitted to  
523 become littered with garbage nor saturated with waste liquid from garbage.

524 C. The growth of weeds, grass, poison ivy, or other noxious plants shall be controlled as a  
525 safety measure and as a means toward the elimination of ticks and chiggers. Pesticidal  
526 measures shall be applied, if necessary, provided the pesticide and its use is in accordance with  
527 the rules promulgated by the ~~Pesticide Control Board~~ Board of Agriculture and Consumer  
528 Services.

529 D. The campsite and the premises shall be maintained in a clean and orderly manner.

530 **12VAC5-450-140. Swimming pools and outdoor bathing facilities.**

531 The construction, modification, maintenance, operation, and use of any swimming pool at a  
532 campground, if provided, shall be subject to the ~~State Board of Health regulations adopted~~  
533 ~~under §§ 35.1-17 of the Code of Virginia~~ Regulations Governing Tourist Establishment  
534 Swimming Pools and Other Public Pools (12VAC5-460) and Swimming Pool Regulations  
535 Governing the Posting of Water Quality Test Results (12VAC5-462).

536 **12VAC5-450-150. Safety.**

537 A. The electrical installation and electrical hook-up provided travel trailers, and other similar  
538 units shall be in accordance with the provisions of local electrical ordinances, or if no such  
539 ordinance exists, in accordance with the provisions of the National Electrical Code, applicable at  
540 the time of installation.

541 B. ~~Adequate precautions shall be exercised by the operator~~ The permit holder shall exercise  
542 precautions to prevent the outbreak of fires. If open fires are permitted, ~~there shall be~~ a definite  
543 area shall be provided within the bounds of each campsite for the building of fires by the  
544 camper, with a cleared area surrounding the ~~firesite~~ fire site to aid in fire control.

545 C. ~~Adequate precautions shall be taken by the operator~~ The permit holder shall take  
546 precautions in the storage and handling of gasoline, gas cylinders, or other explosive materials,  
547 in accordance with local, state, and national safety standards.

548 D. The ~~operator~~ permit holder shall make ~~adequate~~ provisions for the use and control of  
549 ~~mini-bikes~~ all-terrain vehicles, trail bikes, and other similar vehicles within the confines of the  
550 camping area to prevent accidents to small children and campers.

551 E. Broken bottles, glass, and other sharp objects shall not be allowed to create a hazard to  
552 children or others.

553 F. A register shall be kept for recording the names of all campers, the date of campsite  
554 occupancy by each camper, and the number and location of occupied campsites.

555 G. Campground permit holders shall develop and maintain an emergency response plan.  
556 This plan shall include identification of a point of contact during emergency incidents and a  
557 written plan for communicating emergency response information to campers. The plan shall also  
558 include provisions for camper safety, identification, and evacuation in the event of natural  
559 disasters, fires, or other emergencies. Contact telephone numbers for local police, fire  
560 response, and emergency medical services shall be posted in a central location in all  
561 campgrounds.

562 **12VAC5-450-170. Control of animals and pets.**

563 A. ~~Every pet permitted in a campground~~ Pets shall be maintained under control at all times  
564 and shall not be permitted to create a public health problem. ~~Dogs shall be kept on-leash at all~~  
565 ~~times.~~ Dung Animal waste shall be removed immediately and be disposed of in a waste  
566 receptacle or buried in a location which that will not interfere with the use of the site for camping  
567 purposes campsite.

568 B. Any kennels, pens, or other facilities provided for such pets, including horses, shall be  
569 maintained in a sanitary condition at all times.

570 **12VAC5-450-180. Overflow areas.**

571 A. It shall be unlawful for any person operating a campground to exceed the design capacity  
572 of the campground as stated on the health permit by the use of certain unequipped areas as an  
573 overflow area for campers, ~~camping clubs or rallies~~ unless and until the overflow area and its  
574 proposed use have been approved by the Health Commissioner in writing as to the specific  
575 location of the overflow area, number and location of sanitary facilities, size and number of  
576 campsites, and such other factors as may be deemed necessary to prevent overcrowding and  
577 the accompanying insanitary conditions.

578 B. The length of stay of any camping unit permitted to use an area specifically designated  
579 and approved as an overflow area shall be limited to a 12-hour period. Overflow areas are to be  
580 used for incidental traffic only and are not for planned temporary camping.

581 **12VAC5-450-183. Primitive campgrounds.**

582 A. Campgrounds or sections of campgrounds may be permitted as primitive in the absence  
583 of flush toilets, showers and lavatories, and electrical connections. Campsites shall be  
584 designated primitive at the time of permitting.

585 B. Primitive campgrounds or sections of campgrounds with only primitive campsites shall be  
586 exempt from the following requirements of this chapter:

587 1. Campsite identification requirements of 12VAC5-450-70 D. Although individual  
588 primitive campsites do not need to be marked, the overall campground size shall be  
589 large enough to accommodate campsites arranged according to the size and density  
590 requirements of 12VAC5-450-70 B and C.

591 2. Potable water requirements of 12VAC5-450-80, provided that the primitive  
592 campground or section thereof has 10 campsites or fewer, and the following signage is  
593 clearly posted at the entrance to the primitive campground or section thereof: "No  
594 potable water provided at this campground." When potable water is provided, all  
595 requirements of 12VAC5-450-80 shall apply.

596 3. Where water is not provided, slop sink requirements of 12VAC5-450-90 F.

597 4. Lavatory and shower requirements of 12VAC5-450-100 A. If the primitive campground  
598 provides showers or lavatories then the schedule in 12VAC5-450-100 A shall apply.

599 5. Garbage and refuse disposal requirements of 12VAC5-450-120, provided the primitive  
600 campground or section thereof has 10 campsites or fewer, and the campground shall  
601 display a sign stating, in effect: "Pack It In, Pack It Out, no garbage collection provided,  
602 please remove your own garbage from this campground."

603 6. Weed, grass, and noxious plant control measures as specified in 12VAC5-450-130 C.  
604 If pesticide measures are taken, then all pesticide use must be done in accordance with  
605 rules promulgated by the Board of Agriculture and Consumer Services.

606 **12VAC5-450-187. Temporary campgrounds.**

607 Temporary campgrounds, as permitted under 12VAC5-450-40 F, shall be exempt from the  
608 following requirements of this chapter:

609 1. Density, size, and designation requirements of 12VAC5-450-70 A through D.  
610 However, temporary campgrounds shall establish a maximum number of campsites and  
611 campers. Campground permit holders shall ensure that the size, location, and  
612 orientation of campsites do not prohibit the safe and timely evacuation of campsites in  
613 the event of an emergency, and that vehicular traffic routes and parking are located  
614 where they do not pose a safety risk to campers.

615 2. Permanent water supply requirements of 12VAC5-450-80.

616 a. If potable water is provided in the form of a waterworks or private well, then it must  
617 comply with 12VAC5-450-80 A, B, and D through I. If no piped water source is  
618 provided, then bottled water that complies with 21 CFR Part 129 shall be available,  
619 and the unavailability of piped water must be advertised to campers prior to the time  
620 of the temporary camping event.

621 b. Water may be hauled in from a source that meets the requirements of 12VAC5-  
622 450-80 A. Water shall be transported in tanks of food-grade construction and  
623 maintain a one-parts-per-million chlorine residual. Any tanks, hoses, or  
624 appurtenances that are used to distribute water shall be of food-grade construction,  
625 be disinfected between uses, and be protected from contamination.

626 3. The dump station and slop sink requirements of 12VAC5-450-90 D, E, and F.

627 a. Greywater disposal barrels or approved equivalents shall be provided and  
628 serviced during the event unless all of the following conditions apply: (i) piped water  
629 is not available, (ii) portable showers and handwashing sinks are provided, and (iii)  
630 cooking and campfires are prohibited. Only water from cooking, washing, or bathing  
631 shall be disposed of in greywater barrels.

632 b. If self-contained camping units are present at the campground, a sewage handler  
633 shall be available to pump holding tanks as appropriate during the event. Sewage  
634 handlers must possess a valid sewage handling permit as required by 12VAC5-610  
635 and any licensure required by the Board for Waterworks and Wastewater Works  
636 Operators and Onsite Sewage Professionals in accordance with that board's  
637 regulations (18VAC160-30 and 18VAC160-40) and Chapters 1 (§ 54.1-100 et seq.),  
638 2 (§ 54.1-200 et seq.), 3 (§ 54.1-300 et seq.), and 23 (§ 54.1-2300 et seq.) of Title  
639 54.1 of the Code of Virginia.

640 4. Permanent facility requirements in 12VAC5-450-100 A, B, and I. However, portable  
641 toilet facilities shall be provided at the ratio of at least one toilet for every 75 campers,  
642 and at least one toilet shall comply with the Americans with Disabilities Act (42 USC §  
643 12101 et seq.). No campsite shall be farther than 500 feet from any portable toilet.  
644 Portable sinks and showers are not required for events of four days or less, although  
645 hand sanitizer must be provided in all portable toilets where portable sinks are not  
646 provided. All portable units shall be serviced at least daily during the event unless the  
647 applicant can demonstrate that they are provided in numbers significant enough to  
648 warrant a reduced-maintenance service schedule. If the temporary campground has  
649 permanent bathroom facilities, facilities may count towards the required number of  
650 portable privies. Campers who will be camping in self-contained camping units shall not  
651 be counted toward the total number of campers in calculating the required number of  
652 portable privies.

653 **12VAC5-450-190. Waiver Variances.**

654 A. One or more of the provisions in the above regulation regulations in this chapter may be  
655 waived in whole or in part when, in the opinion of the Health Commissioner, there are factors or  
656 circumstances which render compliance with such provision(s) unnecessary; provided, that  
657 such provision(s) shall be specifically exempt in writing by the Health Commissioner. the  
658 hardship imposed by the regulations, which may be economic, outweighs the benefits that may  
659 be received by the public and that granting such a variance does not subject the public to  
660 unreasonable health risks or environmental pollution. Variances shall be issued in writing by the  
661 Health Commissioner.

662 B. It shall be the duty of the campground operator to file a written request for such waiver in  
663 which the reasons for noncompliance of a certain provision(s) are stated fully. If data, test or

664 other adequate information is necessary to the rendering of a decision by the Health  
665 Commissioner, it shall be the responsibility of the applicant to provide such evidence. Any  
666 permit holder who seeks a variance shall apply in writing to the local health department. The  
667 application shall include:

- 668 1. A citation to the regulation from which a variance is requested;
- 669 2. The nature and duration of the variance requested;
- 670 3. Evidence that establishes that the public health and welfare, and the environment  
671 would not be adversely affected if the variance were granted;
- 672 5. Suggested conditions that might be imposed on the granting of a variance that would  
673 limit the detrimental impact on the public health and welfare;
- 674 6. Other information believed pertinent by the applicant; and
- 675 7. Such other information as the district or local health department or Health  
676 Commissioner may require.

677 C. The Health Commissioner shall issue a case decision regarding the variance request  
678 within 90 days of receipt. The campground operator or other named party may appeal any  
679 adverse decision regarding a variance request pursuant to the Administrative Process Act (§  
680 2.2-4000 et seq. of the Code of Virginia).

#### 681 **12VAC5-450-200. Penalties.**

682 Any person who violates any provision of this chapter shall, upon conviction, be punished by  
683 a fine of not less than \$10 nor more than \$100; and each day's failure of compliance with any  
684 provision shall constitute a separate violation may be subject to penalties provided by § 35.1-7  
685 of the Code of Virginia.

#### 686 **12VAC5-450-210. Constitutionality. (Repealed.)**

687 ~~If any provision of any section of this chapter is declared unconstitutional, or the application~~  
688 ~~thereof to any person or circumstance is held invalid, the validity and constitutionality of the~~  
689 ~~remainder of such regulations shall not be affected thereby.~~

#### 690 **12VAC5-450-230. Exemptions. (Repealed.)**

691 ~~Whenever it is found that existing facilities provided at a campground prior to the effective~~  
692 ~~date of this chapter such as the size of campsites and design of structures are in~~  
693 ~~noncompliance, and that the required changes would work an undue hardship on the operator~~  
694 ~~and not materially affect the public health or safety, such major items shall be exempted from~~  
695 ~~this chapter. Other nonconforming items at existing campgrounds such as dump station~~  
696 ~~requirements and number of sanitary facilities may continue in use for a reasonable period of~~  
697 ~~time not to exceed two years from the effective date, provided that a diligent effort is made by~~  
698 ~~the owner to effect compliance. All new campgrounds, sections added to existing campgrounds~~  
699 ~~and additions and extensions within existing campgrounds shall be subject to the provisions of~~  
700 ~~this chapter.~~